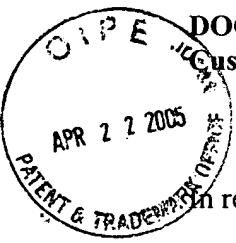


2681
SFC



DOCKET NO. WEST14-00004
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Paul F. Struhsaker, et al.
Serial No. : 10/042,705
Filed : November 15, 2000
For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE IN WIRELESS AND WIRELINE ACCESS SYSTEMS
Group No. : 2681
Examiner : (Not Yet Assigned)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Request for Official Declaration (w/Exhibits A-E); and
2. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 19, 2005.

Date: 4/19/05

Date: 4-19-05

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: dvenglarik@davismunck.com

Kathy Ceder

Mailer
Daniel E. Venglarik

Daniel E. Venglarik
Reg. No. 39,409

O P E DOCKET NO. WEST14-00004
Customer No. 23990

PATENT

APR 22 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : PAUL F. STRUHSAKER, ET AL.

Serial No. : 10/042,705

Filed : November 15, 2000

For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE IN
WIRELESS AND WIRELINE ACCESS SYSTEMS

Group No. : 2681

Examiner : (Not Yet Assigned)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR OFFICIAL DECLARATION

The Examining Authority in European Patent Application No. 01983722.8-2412/1348309 has requested an Official Declaration from the United States Patent and Trademark Office regarding (a) the change in serial number in the above-identified application, and (b) confirmation that application serial no. 09/713,684 is effectively abandoned. A copy of the request is attached hereto as Exhibit A.

This application was originally filed as a non-provisional application on November 15, 2000, and assigned serial no. 09/713,684. On October 8, 2001, Applicant filed a petition to convert the non-provisional application to a provisional application (copy attached as Exhibit B). The petition

ATTORNEY DOCKET NO. WEST14-00004
U.S. SERIAL NO. 10/042,705
PATENT

was granted on January 8, 2002, and the application was re-assigned serial no. 60/331,350 (keeping the same filing date) (copy of decision attached as Exhibit C).

Prior to the above-identified decision, Applicant filed a request to rescind the petition to convert the non-provisional application into a provisional application (copy attached as Exhibit D). Since this request, received before the above-identified decision, was not acted upon prior to that decision, the request was treated as a petition to convert the provisional application into a non-provisional application, and the application was re-assigned serial no. 10/042,705, once again keeping the same filing date (copy of decision attached as Exhibit E).

Applicant requests an official declaration regarding the above-identified proceedings, and confirmation that application serial no. 09/713,684 is no longer active.

If any issues arise, the Applicant respectfully invites the Patent Office to contact the undersigned at the telephone number indicated below or at dvenglarik@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 4-14-05

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
Email: dvenglarik@davismunck.com

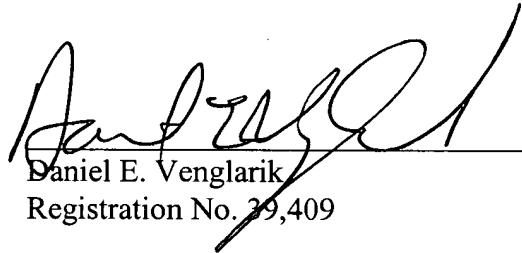

Daniel E. Venglarik
Registration No. 39,409



Exhibit A

Due: provide official doc from USPTO - 11/5/05

NKA



EPA/EPO/OEB
D-80298 München
+49 89 2399-0
TX 523 656 epmu d
FAX +49 89 2399-4465

Europäisches
Patentamt

European
Patent Office

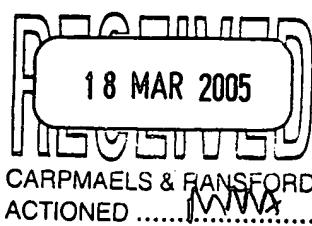
Office européen
des brevets

Generaldirektion 2

Directorate General 2

Direction Générale 2

Howick, Nicholas Keith
CARPMAELS & RANSFORD
43 Bloomsbury Square
London WC1A 2RA
GRANDE BRETAGNE



Datum/Date

11-03-2005

Zeichen/Ref./Ref.	Anmeldung Nr./Application No./Demande n°./Patent Nr./Patent No./Brevet n°.
P034614EP	01983722.8-2412/1348309

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire
Raze Technologies, Inc.

BRIEF COMMUNICATION

- Subject: Your letter of 21.01.05
 Our telephone conversation of 25.02.05 and 04.03.05
 Communication of

Enclosure(s): Letter from the proprietor of the patent/opponent of

Copy(copies)

Communication:

Please arrange for the USPTO to send us an official declaration, and if possible explanation, regarding the change of number of the earlier application.

In view of the protection of the interests of third parties it must also be guaranteed that US 09/713 684 of 15.11.00 does not exist or deals with unrelated subject matter by a different inventor.

Please file observations within a period

of 2 months.

This period begins on notification of this letter.

Kerkhofs, Brigitte *B. Kerkhof*
Formalities Officer
Tel. No.: (+49-89) 2399- 8167

REGISTERED LETTER

Exhibit B

Mailed: Oct. 8, 2001
Serial No.: 09/713,684
Filed: November 15, 2000
In re Application of: Paul F. Struhsaker, et al.
Title: SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE IN
WIRELESS AND WIRELINE ACCESS SYSTEMS
Docket No.: WEST14-00004

The following documents were received in the U.S. Patent and Trademark Office on the date stamped below:

- 1) Petition to Convert Non-Provisional Application to a Provisional Application (in duplicate)
- 2) Check for \$50.00 for Petition filing fee
- 3) Certificate of Mailing



RECEIVED

OCT 19 2001

NOVAKOV DAVIS & MUNCK

DOCKETED

OCT 21 2001



DOCKET NO. WEST14-00004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Paul F. Struhsaker, et al.
Serial No. : 09/713,684
Filed : November 15, 2000
For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE
IN WIRELESS AND WIRELINE ACCESS SYSTEMS
Group No. : 2683
Examiner : Philip Sobotka

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Petition to Convert Non-Provisional Application to a Provisional Application Under 37 C.F.R. §1.53(c)
2. Check in the amount of \$50.00 for the Petition filing fee; and
3. A postcard receipt;

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to Commissioner for Patents, Washington, D.C. 20231, on 10/8/01.

Date: 10/8/01

Kathy Langenacker
Mailer

Date: 8 Oct. 2001

John T. Mockler
John T. Mockler
Reg. No. 39,775

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (214) 922-9221
Fax: (214) 969-7557
E-mail: jmockler@novakov.com

DOCKET NO. WEST14-00004
Customer No. 23990



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Paul F. Struhsaker, et al.
U.S. Serial No. : 09/713,684
Filed : November 15, 2000
For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE IN
WIRELESS AND WIRELINE ACCESS SYSTEMS
Group No. : 2683
Examiner : Philip Sobutka

Commissioner for Patents
Washington, D. C. 20231

**PETITION TO CONVERT NON-PROVISIONAL APPLICATION
TO A PROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(c)**

Dear Sir:

The Applicant hereby petitions to convert the above-identified non-provisional application to a provisional application pursuant to 37 C.F.R. § 1.53(c).

A check in the amount of \$50.00 is enclosed to cover the filing fee for this Petition under 37 C.F.R. 1.17(q).

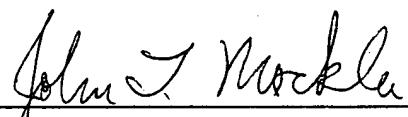
DOCKET NO. WEST14-00004
U.S. SERIAL NO. 09/713,684
PATENT

The Commissioner is authorized to charge any underpayment or credit any overpayment of the fees associated with the filing of this Petition to Novakov Davis Deposit Account No. 50-0208.

Respectfully submitted,

NOVAKOV DAVIS & MUNCK, P.C.

Date: 8 Oct. 2001


John T. Mockler
John T. Mockler
Registration No. 39,775

P.O. Drawer 800889
Dallas, Texas 75380
Telephone: (214) 922-9221
Facsimile: (214) 969-7557
email: jmockler@novakov.com

Exhibit C



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

January 8, 2001

Page # 06

John T. Mockler
P.O. Drawer 800889
Dallas, Texas 75380

In re Application of:

Paul F. Struhsaker, et al
Application No.: 09/713,684
Filed: November 15, 2000
Attorney Docket No: WEST14-0004

DECISION ON PETITION

This is a decision on your petition received in the Patent and Trademark Office on October 11, 2001 treated as a petition under 37 CFR 1.53(b)(2)(ii) to convert the above identified application to a Provisional application under 35 U.S.C. 111 (b) and 37 CFR 1.53(b)(2).

The petition is granted.

The application will be processed in the Office of Initial Patent Examination (OIPE) as a Provisional application under 35 U.S.C. 111(b) and 37 CFR 1.53(b)(2), including the assignment of a new Provisional application number.

The Provisional application serial number is 60/331,350. The filing receipt for the Provisional application number will be communicated to applicant by OIPE in due course.

Betty Robinson
Office of Initial Patent Examination

RECEIVED

JAN 18 2002

NOVAKOV DAVIES & MUNCK

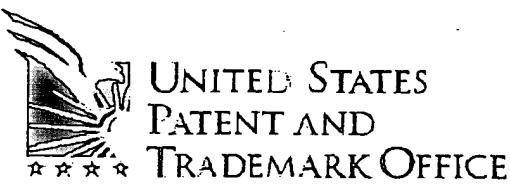
DOCKETED

JAN 20 2001

Exhibit D

TO:Auto-reply fax to 214 969 7557 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 214 969 7557

Fax Information

Date Received:

Total Pages:

11/13/01 5:42:19 PM [Eastern Standard Time]
4 (including cover page)

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Received
Cover
Page
=====>

11/13/01	16:43	NOVAKOV DAVIS + 917038729314	NO. 809 001
NOVAKOV DAVIS & MUNCK A Professional Corporation 900 Three Galleria Tower 13155 Noel Road Dallas, Texas 75240 (214) 922-9221 (214) 969-7557 FAX			
TELECOPY TRANSMISSION SHEET			
TO:	<u>Art Unit 2600</u>	FAX #	<u>703-872-9314</u>
FROM:	<u>John T. Mockler</u>		
DATE:	<u>November 13, 2001</u>	TIME:	<u>3:24pm</u>
NUMBER OF PAGES (including cover page): <u>4</u>			
DOCKET #: <u>WEST14-00004</u> UNITED STATES SERIAL NO. 09/713,684			
NOTE:			
<p>If you have any difficulties in receiving this transmission, please call <u>Laura Zavala</u> at <u>(214) 922-9221.</u></p> <p><input checked="" type="checkbox"/> ORIGINAL WILL NOT FOLLOW <input type="checkbox"/> ORIGINAL WILL FOLLOW VIA:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Regular Mail (Airmail) <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Other <p><small>This transmission contains neither recommendations nor conclusions of the United States Patent and Trademark Office. It is the property of the Office and is loaned to the addressee. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone, and return the original message to us at the return address via the U.S. Postal Service.</small></p>			

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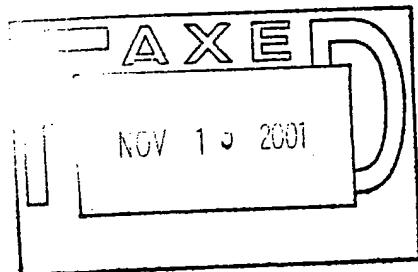
Received from 214 969 7557 at 11/13/01 5:42:19 PM [Eastern Standard Time]

NOV 14 2001

NOVAKOV DAVIS & MUNCK

NOVAKOV DAVIS & MUNCK

A Professional Corporation
900 Three Galleria Tower
13155 Noel Road
Dallas, Texas 75240
(214) 922-9221
(214) 969-7557 FAX



TELECOPY TRANSMISSION SHEET

TO: Art Unit 2600 FAX # 703-872-9314
United States Patent and Trademark Office

FROM: John T. Mockler

DATE: November 13, 2001 TIME: 3:24pm

NUMBER OF PAGES (including cover page): 4

DOCKET #: WEST14-00004
UNITED STATES SERIAL NO. 09/713,684

NOTE:

If you have any difficulties in receiving this transmission, please call Laura Zavala at
(214) 922-9221.

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ORIGINAL WILL FOLLOW VIA:

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- Hand Delivery
- Other

The information contained in this facsimile message contains privileged and confidential information and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service.

DOCKET NO. WEST14-00004
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Paul F. Struhsaker, et al.
Serial No. : 09/713,684
Filed : November 15, 2000
For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE
IN WIRELESS AND WIRELINE ACCESS SYSTEMS
Group No. : 2683
Examiner : Philip Sobutka

Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY FACSIMILE TRANSMISSION

Sir:

The undersigned hereby certifies that the following document:

1. Request to Rescind Petition to Convert Non-Provisional Application to a Provisional Application Under 37 C.F.R. §1,53(c)

relating to the above application, is deposited with the United States Patent and Trademark Office by facsimile transmission to: Group 2600 at facsimile number (703) 872-9314 on November 13, 2001.

Date: 13 Nov. 2001

John T. Mockler
John T. Mockler
Reg. No. 39,775

P.O. Drawer 800889
Dallas, Texas 75380
Phone: (214) 922-9221
Fax: (214) 969-7557
E-mail: jmockler@novakov.com

DOCKET NO. WEST14-00004
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Paul F. Struhsaker, et al.
U.S. Serial No. : 09/713,684
Filed : November 15, 2000
For : SUBSCRIBER INTEGRATED ACCESS DEVICE FOR USE IN
WIRELESS AND WIRELINE ACCESS SYSTEMS
Group No. : 2683
Examiner : Philip Sobutka

Commissioner for Patents
Washington, D. C. 20231

**REQUEST TO RESCIND PETITION TO CONVERT
NON-PROVISIONAL APPLICATION TO A
PROVISIONAL APPLICATION UNDER 37 C.F.R. § 1.53(c)**

Dear Sir:

The Applicant hereby requests that the Petition to Convert Non-Provisional Application to a Provisional Application filed on October 11, 2001 be discarded. The Applicant no longer wishes to convert the non-provisional application to a provisional application.

It is further requested that the \$50.00 fee previously submitted with the Petition to Convert be refunded to Deposit Account No. 50-0208.

DOCKET NO. WEST14-00004
U.S. SERIAL NO. 09/713,684
PATENT

The Commissioner is authorized to charge any underpayment or credit any overpayment of the fees associated with the filing of this Petition to Novakov Davis Deposit Account No. 50-0208.

Respectfully submitted,

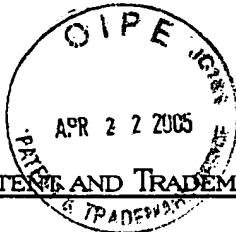
NOVAKOV DAVIS & MUNCK, P.C.

Date: 13 Nov. 2001

John T. Mockler
John T. Mockler
Registration No. 39,775

P.O. Drawer 800889
Dallas, Texas 75380
Telephone: (214) 922-9221
Facsimile: (214) 969-7557
email: jmockler@novakov.com

Exhibit E



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
60/331,350	11/15/2000	Paul F. Struhsaker	WEST14-00004

CONFIRMATION NO.

William A Munck Esq
Novakov Davis & Munck PC
900 Three Galleria Tower
13155 Noel Road
Dallas, TX 75240



OC000000010019947

Date Mailed: 05/13/2003

DECISION GRANTING REQUEST TO CONVERT TO NON-PROVISIONAL

This is a decision on the request under 37 CFR 1.53(c)(3) received in the U.S. Patent and Trademark Office on 11/13/2001, to convert the above-identified application to a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b).

The request is granted.

The application will be processed in the Office of Initial Patent Examination (OIPE) as a non-provisional application under 35 U.S.C. 111(a) and 37 CFR 1.53(b), including the assignment of a new non-provisional application number.

The non-provisional application number is 10/042,705. The filing receipt for the non-provisional application number will be mailed to the applicant by OIPE in due course.

RECEIVED

MAY 19 2003

DAVIS MUNCK


JANICE L TIPPETT
Office of Initial Patent Examination
(703) 308-0910

DOCKETED
MAY 21 2003

PART I - ATTORNEY/APPLICANT COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

APR 22 2005

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U.S. DEPARTMENT OF COMMERCE

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WILLIAM A MUNCK
NOVAKOV DAVIS & MUNCK PLLC
900 THREE GALLERIA TOWER
13155 NOEL ROAD
DALLAS, TX 75240

AUG - 5 2002

Paper No. 3

DAVIS MUNCK

COPY MAILED

JUL 3 1 2002

OFFICE OF PETITIONS

In re Application of :
Struhsaker et al. :
Application No. 10/042,705 : DECISION ON PETITION
Filed: November 15, 2000 :
Title of Invention: :
SUBSCRIBER INTEGRATED ACCESS : DOCKETED
DEVICE FOR USE IN WIRELESS :
AND WIRELINE ACCESS SYSTEMS : AUG - 2 2002

This is a decision on the Request to Rescind Petition to Convert Nonprovisional Application to a Provisional Application under 37 CFR 1.53(c), filed November 13, 2001, which, for reasons stated below, is being treated as a petition to convert a provisional application to a nonprovisional application under 35 U.S.C. 111 and 37 CFR 1.53(c)(3).

The Petition is granted.

The application was filed on November 15, 2000, as a nonprovisional application. A petition to convert the nonprovisional application to a provisional application under 37 CFR 1.53(c) was filed on October 11, 2001. Petitioner filed the instant petition on November 13, 2001, seeking to rescind that request. However, the petition to rescind the conversion request was not timely acted upon and, instead, the petition to convert the application to a provisional application was granted on January 8, 2002¹.

In view of the foregoing, the petition to rescind the conversion request is being treated as a petition to convert the provisional application back to a nonprovisional application and is granted.

The application file has been assigned nonprovisional application number 10/042,705 and is being returned to the Office of Initial Patent Examination (OIPE) for further processing as a **NONPROVISIONAL** application under 35 U.S.C. 111(b) and 37 CFR 1.53(c)(3), with a filing date of November 15, 2000.

¹The Decision was erroneously dated January 8, 2001.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

Christina Cartera Donnell for

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

Conferee: Christina Donnell